

MEMO ENDORSED

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February 6, 2014

BY ECF

Honorable Naomi Reice Buchwald
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 02/06/2014

Re: United States v. Riccio, et al.
12 CR 868 (NRB)

MEMO ENDORSED

Dear Judge Buchwald:

With the consent of the Government, by AUSA Timothy Sini, we write to request permission to withdraw our Motion to Dismiss and accompanying memorandum of law (D.E. 129 and 130) without prejudice to re-file in the future should plea negotiations not result in a disposition. We make the within request in order to permit plea negotiations to continue unfettered by confines of a schedule that requires the government to respond to Defendant's motion by February 21, 2014 and for the Defendant to submit her reply by March 10, 2014.

Further, Mr. Sini will be on trial from March 10, 2014 for about a month while undersigned counsel will be on trial for about a month beginning March 17, 2014, and the responsibility associated with trial will limit our ability to negotiate. Accordingly, the parties request the case be adjourned until the last week in April 2014 for a status conference. The defendant consents to exclude time from the Speedy Trial Act until the adjourned date.

Respectfully Requested,

/s/ Louis M. Freeman

Louis M. Freeman

cc: AUSA Timothy Sini

Application
granted.
A conference
is scheduled
for April
23, 2014
at 3pm.

S. O. Reed

Re: Riccio

Quinn, USDC

2/6/14